

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA**

DeWAYNE G. THOMAS, No. CIV S-04-0695-LKK-CMK-P

Plaintiff,

ORDER

JOSEPH A. BICK,

Defendant.

Plaintiff, a state prisoner proceeding pro se, brings this civil rights action pursuant to 42 U.S.C. § 1983. The matter was referred to a United States Magistrate Judge pursuant to Eastern District of California local rules.

On April 7, 2006, the magistrate judge filed findings and recommendations herein which were served on plaintiff and which contained notice to plaintiff that any objections to the findings and recommendations were to be filed within ten days. Plaintiff has not filed objections to the findings and recommendations.

The court has reviewed the file and finds the findings and recommendations to be supported by the record and by the magistrate judge's analysis.

111

1 Accordingly, IT IS HEREBY ORDERED that:

2 1. The findings and recommendations filed April 7, 2006, are adopted in full;

3 2. Defendant's motion for summary judgment is granted; and

4 3. The Clerk of the Court is directed to enter judgment and close this file.

5 DATED: June 1, 2006.



6
7 Lawrence K. Karlton, Senior Judge
8 U.S. District Court
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26